



**CENTER FOR GLOBAL &
STRATEGIC STUDIES, ISLAMABAD**

CONFERENCE REPORT

KASHMIR HEAVEN IN ASHES

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CGSS
Center for *Global & Strategic*
Studies

4th Floor, Hasnain Arcade (Islamabad International Hospital Building), E-11/2,
Islamabad, Pakistan

Tel: +92-51-2706550

Email: infocgss@yahoo.com Web: www.cgss.com.pk

Conference Report
“Kashmir: Heaven in Ashes”



Organized by
Center for Global & Strategic Studies (CGSS), Islamabad
at
Marriott Hotel, Islamabad on
5th September 2019

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PARTICIPANTS

The Conference was attended by almost 460 participants including eminent politicians, scholars, policymakers, and practitioners. Moreover, students from various universities, government representatives, and retired senior armed forces officers, diplomats, law enforcement officials from across the country and individuals from the public and private entities also participated in this conference.

Host Major General Syed Khalid Amir Jaffery, HI(M), (Retd) -
President, Center for Global & Strategic Studies (CGSS)

Guest Speakers His Excellency Sardar Masood Khan, President of Azad Jammu
and Kashmir

General Zubair Mahmood Hayat, NI (M) - Chairman Joint Chiefs
of Staff Committee

Syed Fakhar Imam - Chairman of the Special Committee on
Kashmir

Mr. Ahmer Bilal Soofi- Former Federal Law Minister

Lieutenant General Amjad Shoaib (Retd) – Defence Analyst

Ambassador Abdul Basit- Former High Commissioner of
Pakistan to India

Mr. Abdullah Hameed Gul - Chairman Tehrik Jawanan Pakistan

Rt. Rev. Nazir Alam – Bishop of Pakistan

Raja Pratab Singh – Sikh Community Leader

INTRODUCTION OF SPEAKERS

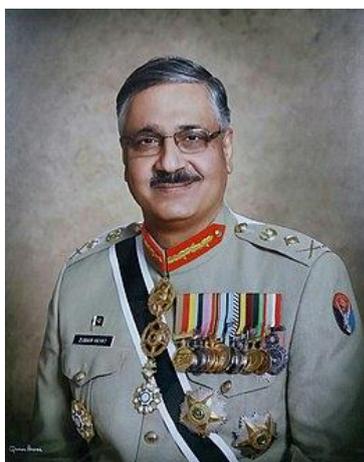
His Excellency Sardar Masood Khan, President of Azad Jammu and Kashmir



Sardar Masood Khan is currently serving as the 27th President of Azad Jammu and Kashmir, a position he assumed on 25th August 2016.

Prior to getting elected as the President of AJK, Sardar Masood Khan had a long diplomatic career with the Foreign Service of Pakistan. Most notably, he served as the Spokesman of the Ministry of Foreign Affairs from 2003 to 2005; Pakistan's Ambassador and Permanent Representative to the United Nations and other International Organizations in Geneva, Switzerland, from 2005 to 2008; Pakistan's Ambassador to China from 2008 to 2012; and Pakistan's Ambassador and Permanent Representative to the United Nations Headquarters, New York, from 2012 to 2015. Mr. Masood Khan has also remained the Director General of the Institute of Strategic Studies Islamabad.

General Zubair Mahmood Hayat, NI (M) - Chairman Joint Chiefs of Staff Committee



General Zubair Mahmood Hayat, NI (M) is a four-star rank Army General in the Pakistan Army who is currently the Chairman Joint Chiefs of Staff Committee. He has also previously served as the Director General Strategic Plans Division, Chief of General Staff and Corps Commander in Pakistan Army.

Syed Fakhar Imam - Chairman of the Special Committee on Kashmir



Syed Fakhar Imam was born on 18th December 1942. He was the 11th Speaker of National Assembly of Pakistan. He was educated at Clifton College in England. He remained Member National Assembly from 1985-1993. He was elected as the Leader of the Opposition in National Assembly and served from 1986-88. He remained Speaker National Assembly from 1985-86, Federal Minister for Local Government & Rural Development from 1981-83 and Federal Minister for Education from 1990-93.

Mr. Ahmer Bilal Soofi- Former Federal Law Minister



Mr. Ahmer Bilal Soofi is an Advocate of the Supreme Court of Pakistan. He served as the Federal Minister for Law, Justice & Parliamentary Affairs and Human Rights. He is also the founding President of the Research Society of International Law. He has also served as the Member Advisory Council of United Nations Human Rights Committee.

Lieutenant General Amjad Shoaib (Retd) – Defence Analyst



Lieutenant General Amjad Shoaib is a retired armed forces officer who during his military career and after retirement remained at various significant appointments at national and international level. Being in Pakistan Army he held various instructional, staff and command assignments
Lieutenant General Amjad Shoaib is a retired three-star general of the Pakistan Army. He is a prominent Geo Political and Defense Analyst of Pakistan.

Ambassador Abdul Basit- Former High Commissioner of Pakistan to India



Ambassador Abdul Basit is the Former High Commissioner of Pakistan to India and former President of the Islamabad Policy Research Institute. He joined the Foreign Service of Pakistan in 1982. In the recent past, he served as the High Commissioner for Pakistan to India from 2014 to 2017 and Pakistan's Ambassador to Germany from 2012 to 2014. He has also served in various diplomatic capacities while being posted at Moscow, New York, Sana'a, Geneva and London at Pakistan Missions. Ambassador Basit has also served as the Foreign Office Spokesman from 2009 to 2012. Ambassador Basit holds a Master's degree in International Relations from Quaid-e-Azam University Islamabad.

Mr. Abdullah Hameed Gul - Chairman Tehrik Jawanan Pakistan



Mr. Abdullah Gul is the son of General Hamid Gul – Former DG ISI. He is the Chairman of Tehrik Jawanan Pakistan & Director General MEASAC Research Centre. He also remained former Head of Aljazeera Think Tank on South Asia. Currently, he is a Member Advisory Board Center for Global & Strategic Studies (CGSS), Islamabad.

Rt. Rev. Nazir Alam – Bishop of Pakistan



Rt. Rev. Nazir Alam is Bishop of Pakistan at United Church of Pakistan since 2010. He works for the promotion of universal peace and welfare for humanity. He believes and works for interfaith harmony.

Raja Pratab Singh – Sikh Community Leader



Raja Pratab Singh is a renowned leader of the Sikh Community in Pakistan.

SESSION-I

The Conference commenced with recitation from the Holy Quran. Ms. Mehreen Gul – Director CGSS and also Moderator of the event welcomed the guest speakers and participants of the event and formally began the proceedings by inviting Major General Syed Khalid Amir Jaffery, HI(M), (Retd) – President, Center for Global & Strategic Studies (CGSS) – President CGSS for his opening remarks.



Opening Remarks by Major General Syed Khalid Amir Jaffery, HI(M), (Retd) – President, Center for Global & Strategic Studies (CGSS)

The opening remarks of the conference were by Gen Khalid Amir Jaffery (Retd), President of CGSS, Islamabad.

Gen Jaffery started his statement with a brief account of what is happening in the valley today.

He told the audience that this is one of the longest curfew in history of Kashmir. He stressed upon the need to understand what the Grand design of India is. Have we studied it? India has also been working on expanding its territory since 1947. Gen Jaffery gave a brief account of various such incidents. Move of India towards Kashmir in 1947- 1948. How India annexed Junagadh and Manavadar in Dec 1947. The credibility of the document of accession of Kashmir signed 26 Oct 1947 is still not clear. Similarly India tried to take Hyderabad in Sep 1948, Tripura and Manipur in 1949 and Goa in 1961. Indian also attempted to gain territory from china in 1962. Furthermore he talked about how India has used Naked Aggression against Pakistan in the war of 1971 and various other occasion. Annexation of Sikhism in 1975 and Siachin conflict in 1984 are among other examples of India's aggressive designs.

What Pakistan needs to realize now is that Akhand Bharat in the plan of action of India. Something that we have been hearing for a long time now is put into action by



this government. Should Nepal and Bhutan be worried in the aftermath of the recent steps taken by India? Moving on Gen Jaffery said that it is quite Ironic that the people who suffered from the holocaust are supporting the events happening in Kashmir right now. The question right now is are we ready for India's plans? We have to identify India's long term plans and formulate policies to deal with such situations in an effective manner in future.

Speaker 1

His Excellency Sardar Masood Khan, President of Azad Jammu and Kashmir



Sardar Masood Khan identified that there are three dates of seminal importance in the history of Pakistan, The first date is August the 14th 1947 when Pakistan was created as an independent state. This date is important because Pakistan emerged on the map of the world as a sovereign state. Before the creation of Pakistan, People were sure that this country would not be created and the Congress and extremist Hindus in India were confident that once this state is created, it will collapse in three to six months and people of Pakistan would be begging to take them back. But this miracle happened because of the will of Allah and due to the steely resolve of

Muhammad Ali Jinnah, and the sacrifices given by the people of South Asia.

This miracle is marked as the golden hour in the history of Pakistan. In 1947 and 1948, Pakistan attained military Victory. In the recent past after the developments of 5th August, People have of the view that Pakistan has been advocating and practicing diplomacy to resolve the Jammu and Kashmir dispute and focused solitary on diplomatic and political means and as this policy has failed over the decades. But people must realize that we have also fought six Wars to liberate the occupied territory of Kashmir. The people of Kashmir rebelled against the Maharaja of Kashmir during these two significant wars, being unassisted they put together a command and control structure having their own armed forces. They fought the Maharaja and pushed his army back. This was the battle that we won and if Pakistan had not won that war, it

would not have get Azad Kashmir. Simultaneously, the people of Gilgit-Baltistan rebelled unaided and together the people of Azad Kashmir and Gilgit Baltistan were able to liberate the area of 13,000 square kilometers of Azad Kashmir and seventy-three thousand square kilometers sphere of Gilgit Baltistan.

Kashmir issue has survived because of the sacrifices of the people of Azad Kashmir and Gilgit Baltistan. During these previous wars, Pakistan attained unmistakable victory against the Indian troops and the forces of Maharaja. After India had occupied the Jammu and Kashmir territory, and there was a push back and India wanted to reoccupy that territory of Gilgit-Baltistan and Azad Kashmir. In 1948 Azad Kashmir had the assistance from Pakistan in different forms, the reason was the clear military victory against the Indian army. The Indian Army's attack to recapture the territory was rebutted throughout the period of 1947 till 1957 when Pakistan was a newborn state, and it did not have resources, the initial government setup in Karachi that did not have any paper heads and offices but they sustained their work in the open Vans and run the Secretariat from there and within ten years they were able to get dozens of Security Council resolutions passed.

He further elaborated that after getting defeated on both diplomatically and militarily, India came up with many devices one of the devices was the imposition of the constitutional occupation of the part of the Indian Occupied Kashmir. Secondly, for a long time they did not fight any war with Pakistan. In fact, Pandit Jawahar Lal Nehru, the first Prime Minister of India warned his troops not get into the territory of Gilgit Baltistan and Azad Kashmir particularly, because he warned his soldiers that this territory would become their graveyard. That was the kind of military might that Pakistan had in that state of weakness when it was a fragile state.

On December 17th 1971, India detached Pakistan into two parts and after reducing the size of Pakistan, Indra Gandhi, the prime minister at that time threatened that India would work to disintegrate the rest of Pakistan. The disintegration of Pakistan remained the unfinished business of 1971 War and India thought that Pakistan had been made vulnerable and indeed this was a truth, that's why Pakistan started investing in its defense and National Security and it came up with the nuclear weapons. On May 28th 1998, Pakistan acquired nuclear capability and at that time Pakistan felt that it had become invulnerable to Indian attack because of the establishment of credible deterrence against India.

India did not want to endorse the strategic parity with Pakistan and they wanted to rupture this invulnerability of Pakistan. Since 1998 Pakistan has been wearing the armor of nuclear deterrence and feel safe at the same time developing its conventional capability, but most of the people have defeatist mindset and they do not see themselves as a great nation which was born in 1947 with strong conviction and able to carve prominent position in the committee of Nations. Therefore, the people in Pakistan, would cite the rise and ascendancy of India and give hundred reasons that Pakistan should be perceived as a weak state.

The Indian actions on August of 5th, was not a sudden surprising development. India had been preparing for this action for the past five years and it has been proclaiming to the media, to the world at large, to Pakistan in particular that these are the steps that India is going to take. In fact, on 23rd June immediately after the completion of the Electoral cycle in India CGSS had organized a seminar on Kashmir and predicted Indian moves, at that time some people were having a view that a stronger Modi and a more powerful BJP would have the mandate to resolve the Jammu and Kashmir dispute and would engage Pakistan as well.

India has rescinded article 370 and there was no autonomy to the people of Jammu and Kashmir. In fact, this was an evil pact between Sheikh Abdullah and Pandit Jawaharlal Nehru to enslave the people of Jammu and Kashmir. In August of this year, the Bharatiya Janata party stabbed many freedom fighters in Kashmir. The other article is 35A which is imperative because that article contained rights of all the Kashmiris, relating to acquisition of property, education, and employment. These inherent rights of the Kashmiri dated back to 1927, which had not been given by India but the United Nations.

He mentioned that what we observed at August 5th, was a full-fledged invasion and reoccupation of the territory in order to consolidate India's rule and the implementation of the elaborative plan of colonizing the territory because India announced that the state of the occupied territory had been bifurcated against the will of the people and that from that point onwards Hindus from all over India would be settled in that territory and they would replicate the experiment in the West Bank, illegal settlements eroding their right of self-determination eroding their will to determine their political future.

Everybody is familiar with this situation, which is prevalent in IOK right now, there is a month-long siege and lockdown and more than 10,000 people have been detained, including all segments of society such as lawmakers in the local government, businessmen, academics, women activists, children, etc. Everybody knows the horrendous situation that prevails in Kashmir today.

People are talking about the possibilities, as we are already in a state of War which is a different kind of war. The Indian occupied Kashmir has been attacked. There is hostile fire across the line of control, resulting in casualties, injuries, and destruction of property. Indian forces are using cluster munitions. There is a declared war against Pakistan in the form of proxies that are operating on behalf of India. The Indians sponsored terrorist attacks in all parts of Pakistan, they have talked openly about a hybrid war against Pakistan which would lead to implosion and ultimately, the collapse of the state of Pakistan. We consider that an attack on the Indian occupied territory is an attack on Pakistan.

While talking about the global reaction, he discussed that the response of the International Community over the developments in the Indian Occupied Kashmir has been mixed. He thanked the government of Pakistan for initiating punitive measures against India in the form of downing the tradition of diplomatic relations, suspension



or termination of trade or transportation links, and contemplating further measures. Pakistan with great endeavor and ingenuity was able to go to the Security Council to make an informal session of the Security Council with the help of China. This was not an ordinary achievement because India had been lobbying for days and weeks to block this kind of session in the Security Council. The International Community response can be divided into two categories. The international media has supported the people of Jammu and Kashmir and the Stance of Pakistan for a change. After Decades of ambivalence and silence or partisanship in favor of India. So there was this huge space which was opened for the Kashmiris and for Pakistan and this is the kind of narrative that Pakistan has been striving to construct for decades, but we were not able to either craft that narrative or projected to the Western media portals and networks but this time the Western media itself crafted this narrative for Kashmir.

People in Pakistan were disappointed by the response given by the Arab world because in two or three instances the Arabs instead of siding with victims in Kashmir, seem to be endorsing Indian actions which caused disappointment and frustration in all segments of Pakistani society. As for as the powerful governments of the world are concerned, despite the evidence that has been furnished by their own media, diplomats, and embassies, they have been tight-lipped and equivocating. They have been trying to artificially balance the relations between Pakistan and India. They have chosen not to look at the humanitarian crisis in Kashmir.

The diaspora community has been mobilized and the people of Pakistan from the Khunjrab pass to Karachi and Gawadar have demonstrated unprecedented solidarity with the people of the Indian Occupied Kashmir. The steps that India has taken needs to be understood. During the past years, they have been trying to give this impression to the rest of the world that things are normal and by brutalizing people, by bifurcating the state, snatching all the rights of the Kashmiris, they are trying to usher an era of prosperity and nobody believes this dogma anywhere in the world. In fact, the western newspapers who first sight Indian claims and then give the factual narration are raising their voices against the brutality of India. Nobody is believing the India's false narrative.

The next steps which India is going to take is to consolidate its position and there is a grave risk that India would be successful in doing so. India is not going to reverse these steps easily. There's also a gray parrot that India may try to convince powerful Islamic

Nations to give it observer status in the organization of Islamic cooperation. The major Powers may try to coax Pakistan into accepting some sort of bilateral process but it would be a trap unless India takes back its aggravating and aggressive steps in Kashmir. We should not accept any bilateral framework after August 5th, unless India explicitly in the presence of a third party preferably the United Nations accepts the disputed status of the territory and agrees to go back and come up with diplomatic and political solution of the Jammu and Kashmir dispute. India's insistence on the Jammu and Kashmir as its integral part should be rejected categorically. It's the time to move out of the gray area without ambiguities.

The choice of Pakistan is to maintain and sustain its diplomatic campaign. It was good to go to the Security Council for an informal session. But going once is not enough we should constantly knock on the doors of the Security Council until to get its substantive attention. It is disgraceful for the United Nations Security Council that it had to wait for the communication from the foreign minister of Pakistan to hold its informal session. It is the fundamental responsibility of UNSC in accordance with the charter of the United Nations to intervene in the Indian Occupied Kashmir, to relieve the humanitarian pain of the Kashmiri people, and to act as a catalyst for this establishment of a humanitarian Corridor there.



Pakistan must continue to go to the United Nations Security Council and the human rights council. Pakistan has a legitimate claim in IOK and should not surrender it. Because India always been responsive to two types of pressure, the military pressure that was generated in 1947, 48, and 65, and the international diplomatic pressure.

He emphasized that Pakistan should communicate with international law commission and explore the possibility of establishing tribunals for the trial of war criminals in IOK. Genocide is going on there for the past seven decades and Pakistan has ample evidence to substantiate it. People are concerned about the future of the Kashmiris that what would happen when the curfew would lifted. Meanwhile, we should work hard to make Pakistan a strong Nation. In contemporary scenario we have many challenges and one of them is to ensure and to guarantee the national security of Pakistan in a holistic pressure that would improve the defense capability and second aspect is the economic development and within that context we must try to intensify our diplomatic campaign of Kashmir because Kashmir is about Pakistan's nationhood, sovereignty.

In the past, the contention between India and Pakistan used to be Kashmir but from this point onwards the cases is placed between India and Pakistan, all these developments that have seen since August 5th are driven by Hindu nationalism, the doctrine similar to Fascism and Nazism of the last century. Narendra Modi is the reincarnation of Hitler and Mussolini or Milosevic in the 21st century. The Indian media and the cabinet members of the BJP portrays that their ultimate goal is to dismantle Pakistan and they have designated three targets, first is the Muslims of India, the two hundred million Muslims of India are being persecuted, tortured, marginalized and dehumanized and the Kashmiris whom they considered traitors because they are Muslims, they are also being demonized and then their target is the state of Pakistan which committed the cardinal sin of creating Pakistan and dividing a divided Akhand Bharat and Barat Bhumi which they want to restore.

They have declared war against Pakistan, the Rashtriya Swayamsevak Sangh (RSS) is giving military training to young men and women to fight a war against Muslims and Pakistan and "Bajrang dal" is their operational arm. They are going to attack Pakistan and we have no choice even if we make hundreds of unilateral diplomatic overtures.

Now it is the time to tell the world the truth about South Asia, the suffering of the people of Jammu and Kashmir and the threats to the state of Pakistan and its peace and security in the region because of India's jingoism and its hegemony stick designs. In April 2019, Modi said that would obliterate Pakistan with mother of nuclear bombs and mention that his bombs are not fireworks for Diwali. Pakistan should reach out to the global civil society and Indian civil society particularly because many political parties, human rights groups, civil society organizations, and ordinary citizens have protested against the action of Modi.

He stressed upon the notion that we must re-think Pakistan as a strong nation, capable of defending not only geographical territory but its value system anchored in Islam. The doctrine of War which was given to us by Prophet Muhammad (Peace be upon him) and by the Quran. All the pillars of this doctrine are based on humanitarian principles that Muslims do not fight offensive wars but fight to defend their own people, and humanity. So, it is the responsibility of all the citizens of Pakistan not only to safeguard the rights of Kashmiris but also to save the 200 million Muslims from the scourge of the wrath of Hindu extremists.



Speaker 2

General Zubair Mahmood Hayat, NI (M) - Chairman Joint Chiefs of Staff Committee



Lt. Gen Zubair Mahmood Hayat commenced his speech by extending warm greetings to the excellences, the guest speakers and all the participants. He also thanked President CGSS Major General (Rtd) Syed Khalid Amir Jaffery for organizing the conference on Kashmir on 5th September.

He stated that the same day last month, the illegal and unfortunate event of annexation of Kashmir took place. He said that now reaching an age of 60 and having been taught in many great universities of the world both in the West in the East. What fundamentally educated there was: The importance of rule of law, The importance of Justice, The importance of freedom, The importance of Liberty, The importance of freedom of speech, the importance of Human Rights, the Importance of human dignity and above all the importance of human identity. The General declared that for him, this is a moment of Reckoning because what has happened on 5th of August is a litmus test not only for my generation but also for the future generation and generations.

Gen. Zubair Hayat said that the issue of Kashmir is very close to not only his heart but to the hearts of all Pakistanis for it remains not only regional fault line, but it also remains an international fault line. He continued and told that the significance of today's event is obvious from the level and scope of participation that is visible. He further said that he pays deep respect to the Brave and resilient people of Kashmir and their ongoing sacrifices and suffering for their legitimate struggle, for their right of self-determination and those eight principles that were stated at the start. They have done it in the face of the worst tyranny and oppression by any contemporary modern state.

Chairman joint Chief of Staff Committee told the participants that we have seen and most of us have served to see Kashmir as a land of roaring rivers, majestic lakes, beautiful valleys, and magnificent mountains. We know that the people of Kashmir are Hardy, they are aware they are Progressive and they're extremely loving. Kashmir, therefore, has the right and has been rightly attributed 'a paradise on Earth'. He regretted that, however, unfortunately, the brutalities and atrocities of the Indian

occupying forces have turned this Heaven into ashes. Indian occupying forces are employing not only excessive use of force against innocent and defenseless Kashmiri civilians, but they have institutionalized use of torture and using instrument of rape as instrument of Suppression.

The honorable guest described that For Kashmiris, enforced disappearances arbitrary detentions and violation of basic human rights are no longer in exception. It has been unfortunately turned into a norm. The latest Uprising which is now 30 years in going since 1989, 100,000 Kashmiris have been martyred by the Indian occupying forces. He urged the participants to spare a thought for the Staggering number of a hundred thousand. He informed that of this figure, seven thousand people have been murdered in the custody of the Indian Security Forces. Around a hundred and ten thousand structures have been destroyed. 23,000 women became Widow. Over 108,000 children have been orphaned. Eleven thousand one hundred and twenty-five women have been molested, raped and gang-raped by Indian occupation forces. This impunity hasn't ended, more than 7,000 unmask Graves have already been discovered and only God knows how many more there are the thousands of victims of fake encounters. He shared that in more recent times since July 2016, post the great martyrdom of the freedom fighter Burhan Wani, a young Kashmiri with just an age of 22 years, the Indian forces have gone on to be a rampage in what is called operation all out. This is the name of an operation that has been given by the occupying forces 'Operation all-out'.

General Zubair Shared another brutality of the Indian Forces and said that there has been mass blinding of the Kashmiri civilians, which includes both youth, women and children as small as eight months old by deliberately targeting their eyes with pellet gunshots. Over 10,000 Kashmiris have suffered eye injuries due to use of pellet gunshot while more than 200 have been blinded in one eye. This is the greatest mass blinding process in the history of human and Mankind. Similarly, 147 women have been blinded. The General reminded that this is horrifying to note that all this is happening not without the knowledge of the entire world, but it is happening in front of the entire world.

Mr. Zubair Hayat told that in this age of connectivity and awareness it is hard to believe that those values that were stated at the start. They apply only selectively to the few but do not apply to the people of Kashmir. He declared that this duplicity and double

standards have been exposed and if the world is to move forward there has to be a redefinition of what we stand for as Humanity. The atrocities and human rights abuses in the Indian occupied Jammu and Kashmir have been explicitly confirmed and reported internationally by various institutions and organizations and these are not small organizations.

He urged all the excellences and participants to read the reports not one, but two by United Nations High Commissioner for human rights, by all parties Parliamentary Kashmir group of the European Parliament. The statements that have emerged from OIC, Amnesty International, from Human Rights Watch from Genocide watch. He said that words have never made a difference and today there is no difference. Notwithstanding the hell already let loose upon Kashmiris, the Indian racist and Fascists government has recently deprive the Kashmiris of their land and identity through abrogation of their own articles. That is 370 and 35 Alpha. This is an illegal unilateral action by India without any consultation, either with indigenous Kashmiri people or Pakistan or the International Community. This blatant annexation of Indian occupied Jammu and Kashmir is a violation of the United Nations Security Council resolutions, 11 of them. It is the violation of international law as well as bilateral and multilateral agreements.



CJSC declared that the Indian constitution for whatever they believe in and whatever they have been telling to us also stand desecrated in this case. This is because of the manifestation of the policy of Hindutwa. Where India has moved rapidly from what was India to Hindustan to what is now becoming Bharat. And what they are moving towards is Akhand Bharat. He apprised the listeners that the BJP Govt is trying to bring a demographic change in their only occupied Muslim-majority state. And to prevent civilians from protesting against the brazen face violation of their fundamental rights, India has deployed an additional hundred and eighty thousand troops supplementing the already existing 700,000 station troops. He told that this means now we have a close to a million Indian soldiers in the valley of Kashmir for Eight million people. Kashmir which has been in the most militarized zone on the earth is now and has been turned into the world's largest prison or the word the world's largest concentration camp.

He briefed the participants about the attempts to silence Kashmir forcefully through increased presence of this armed forces and therefore the imposition of this curfew look down and arrest of political and civilian leaders, Total Blackout of media internet communication expelling foreign human rights activists, restriction on the Personnel of United Nations military Observer group, suspension of civil services and increased brutalities not only amounting to But actually being genocide.

The General said that the understanding of 2003 regarding ceasefire violations against Pakistan have been put through the window at there are intensified cross-border violations and firing from the Indian side, in doing so they have resulted to use of prohibited cluster munitions. He asked the guests that if cluster munition is used anywhere in the world, what happens? But if they've been used against Azad Jammu and Kashmir, we would like to see what happens. Across the line of control and these cluster Munitions can put deliberately targeting civilians.

General Zubair Hayat stated that Kashmir is not a bilateral boundary dispute between India and Pakistan. It was taken to the United Nations by India in 1948 and it remains on the United Nations Security Council agenda for the past seven decades – Kashmir by all canons of international law is an internationally disputed territory. And Kashmir lies at the heart of all issues in South Asia. This dispute has been festering for decades and really serving as a flashpoint for conflict between India and Pakistan and therefore no resolution of this internationally-recognized dispute has previously led to wars and

near words like situations between India and Pakistan. Kashmir still remains an international nuclear Flashpoint and an overarching hurdle for peace in the region. He further said that Pakistan has made relentless effort for restoring peace and dialogue with India with the sole purpose of bringing peace and prosperity in the region. But regrettably, our neighbors on the East have averted all peace overtures and choosing the path of unilateralism and aggression. This Pakistan will not take this Pakistan been fight back.

He explained to the participants of the conference that the security situation in South Asia is Risk by a reincarnation of Nazism type pre-medieval ideology in the shape of in Hindutwa. This ideology believes in its own dynamics of Shivnism, superiority of race and Creed, superiority of blood and utter distaste for tolerance and accommodation. This ideology aims to destroy and kill anything which is not in sync with its own worldview. This ideology of Hindutwa is dangerous to the core. The regional political structure in South Asia is therefore threatened by such hegemonic aspirations. Because these Hindutwa puppets, they still romanticize the Legacy based physical boundaries of an erstwhile a thousand years old Gupta Mauryan empire in teaching of Chunkya Kotalia and therefore their strategic Behavior persistently seeks predominance and domination in the region by relying heavily on Machiavellian type hybrid tactics simmering from the strength of hard power and added to it the nuclear muscle. Therefore, in over a period of time. India's attitude has turned extremely belligerent the intermittent spells of military escalation between India and Pakistan have had their roots in geography and history and are manifested through bellicosity expressed by their political and military leadership from time to time.

The General further explained that most alarmingly the Strategic stability in South Asia is trained both by provocative and irresponsible behavior in our neighborhood. He said the recent statements by Indian Defence Minister indicating a circumstantial departure from their stated policy of no first use, only adds to the precarious security situation in the region. It is not a matter of if, but now it is a matter of reality that control of strategic weapons with a gracious and Fascist BJP regime with its linkages to RSS and Bajrang Dal. Which puts a huge question mark on India as a responsible nuclear State. He added that India's emboldenment and strategic miscalculation, risk the chances of destabilization with far-reaching consequences for the entire world.

Therefore, this decision is detrimental to peaceful resolution of all conflicts as well as overall security environment not only in South Asia but beyond.

General Zubair Hayat clarified that Right of self-determination is a legal Norm of international law, which was promised to the people of Kashmir by India and Pakistan and the International Community. Therefore, application or unilateral abrogation of these rights marks the murder of self-determination of the Kashmiri people. India will not get away with this murder, while such action may attempt to temporarily tighten hold over Kashmir. It is likely to lead to an entrenchment of conflict between two nuclear-armed states and provide an unprecedented fillip to the indigenous Kashmiri freedom movement. It is bound to result in unprecedented anti-muslim violence. Not only in Indian occupied Jammu and Kashmir, but for the poor Muslims of India also, it is likely to, therefore, nurture divisive communalism and internal conflict with prospects to engulf not only bilaterally but the region and well beyond.

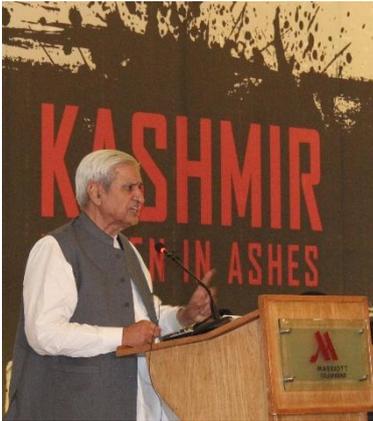
Chairman joint chief informed the audience that India has started to play with fire without making itself by proof. Its unilateral actions and brutal suppression of indigenous struggles are illegal, illegitimate and above all unacceptable both to the Kashmiris and to Pakistan. India has tried to cross the bridge, but it must remember that this is a bridge too far. And therefore India's false propaganda projecting India's governmental decisions as in the best interest of this Kashmiris cannot fool the world for long. India's promise of graduated normalization of Indian occupied Jammu and Kashmir are nothing but fake news that will not last long time. As always the truth will ultimately prevail. Pakistan has been a strong proponent of peaceful coexistence. Since its inception Pakistan has been an ardent adherent of the UN Charter. Pakistan has played an active role in international peace and stability based on universal values. Unfortunately normalization of bilateral relations between the two neighbors is hostage. It is Hostage to India's preference for heightened hostility instead of gainful engagement. The sensitivity and the ramification of a conflict between India and Pakistan has and should be realized by the whole world.

While concluding this speech he said these actions are grave and destabilizing the effect not only in this volatile South Asia but also putting stress on the stability globally. From Pakistan's point of view, India's unilateral action will not Dent the determination of the people of Kashmir and Pakistan. He declared that Should India try to raise the ante, Pakistan Armed Forces stand ready and firm to take on any misadventure or aggression by India, any such action will neither go unnoticed nor will it go unpunished. Pakistan has proven our metal during Pulwama crisis and we will not hesitate to teach a lesson to anyone who wishes to learn it once again. Pakistan firmly sticks to its pledge for peaceful resolution of the Kashmir dispute as per the aspirations of the people of Kashmir in light of the United Nations Security Council resolutions. Pakistan will continue to highlight internationally Indian atrocities and violations of basic human rights in Indian occupied Kashmir. It will also continue its political-diplomatic and moral support. But no option is off the table to the indigenous and legitimate struggle of our Kashmiri brethren. Pakistan will do. What it takes, to support Kashmir all the way. In the end the General said that he is confident that our Collective struggle will bear fruit in the realization of our common objectives Inshaa Allah.



Speaker 3

Syed Fakhar Imam - Chairman of the Special Committee on Kashmir



He illustrated that Muhammad Ali Jinnah one of the leading barristers of British India in his times, who has changed the map of the world, course of history, and created a nation-state. The state of Pakistan as it came into being in 14th, August 1947 was indeed a miracle that happens due to efforts of Muhammad Ali Jinnah by initiating the freedom struggle, and constructing a thesis against the powerful British rulers. It was a great achievement of Quaid-i-Azam. The Congress was a very well-organized party set up by Britishers in the 1880's a man by the name of Hume. The All India Muslim League came into being in 1906. The way that our country got constructed Pakistan was handicapped from day one and the reason for a handicapped and disadvantaged was the partition plan by Red cliff who was jurist and came to India before the partition, which was supposed to be in 48 of June was accelerated for barely four months and in March they decided that partition will take place on the 14th August 1947. In that quick time Muslim-majority areas became Pakistan and Hindu majority areas were merged with India, and then came negotiations for Bengal and Punjab because Bengal was a Muslim majority area as was Punjab, but the Congress was very devious in the manner that they negotiated in their own manner.

In that very intricate negotiation, they succeeded to convince Whitehall and Westminster together that unless you divided the Bengal and Punjab, they would not accept Pakistan. The contiguous District of Gurdaspur, which was majority Muslim area and the contiguous District of Ferozpur was handed over to India in Rad cliff award which came out on the 18th of August 1947. So this is where they handicapped Pakistan and resided at the disadvantageous position. If the Gurdaspur was not handed over to India, we would not have the Kashmir issue today. The Injustice started right at the start by the then power holder Lord Louis Mountbatten and from that day on Pakistan has lived with Kashmir which is the jugular vein of Pakistan. The partition plan will not be completed unless and until the Kashmir issue is resolved.

He mentioned that we are facing the treacherous time because Modi is doing the same injustice that the Mountbatten had done at the time of Partition. The water problem is becoming the major issue and it will be converted into drastic issue in future. Pakistan

and India both are the signatories of the Indus water treaty, but there are no guarantors. A man like Modi and his mindset gives image of uncertainty that in which dimension these things will ultimately lead.

The BJP have sidelined Nehru and Gandhi doctrine due to their liberal and secular democratic ideas and start to distort the history of being ruled by the Muslim outsiders for thousands of years and proclaiming their Hindutva ideology. So they are going towards the re-evaluation of the history of India by distorting the facts and the man like Modi has risen with his ethos and philosophy of totally marginalizing the minorities of India, targeting Muslims and the Dalits as well. Modi wants to fulfill his fascist ideology by targeting all the minorities resides in India, having the extraordinary nationalistic, jingoistic, and chauvinistic mindset.

India has been slowly and steadily taking over the territory. SAARC which was set up in the 1980s to resolve the regional issues and ASIAN as well to run the systems of the Asian region. But since Modi has stepped in SAARC has been totally put off the table because Modi wants to be the regional hegemon and wants to be the dominant figure in South Asia but Pakistan is the only power who resist India. The Modi is of the view that he will destroy Pakistan and ultimately he aimed to take over Pakistan but he is in the heaven of fools. As the entire world saw the determination of Pakistan on 27th and 28th of February when India crossed the boundary and observed the reaction of the Pakistani Forces.

Tyrannically, India has deployed nine hundred thousand in India to counter the innocent citizens of India and to overcome the territory. The Kashmiris have become Fearless, Burhan Vani's martyrdom brought a new enthusiasm in Indian Occupied Kashmir. Pakistan has the stance that Kashmir is the disputed territory which was proved when Shimla agreement came and the P5 countries have also accepted the disputed status of Kashmir. The lexicon of Pakistan has proved through the resolution of 48 and 49 of the United Nations Security Council that Kashmir is the disputed area. The Kashmiris are authorized to make up their own minds in deciding their own future through plebiscite which is decided in the Security Council resolution on Kashmir.

Pakistan has played its role above the expectations from the 5th of August. The prime minister of Pakistan has visited United States and the foreign minister of Pakistan has been in touch with the big powers. China has played a key role in protecting the

Kashmir issue. Russia for the first time became neutral and did not oppose. The Pakistanis must realize that we have one of the best motivated battled hardened armed forces in the world today. We have to make Pakistan economically sound to compete with the rest of the world. The ongoing leadership of Pakistan is trying to make Pakistan a welfare state by following the examples of the developed states like Japan, China, and Russia. Quaid-i-Azam laid the foundation for the future nation and we have to follow that track.

Time has come for Pakistan to perform in a transparent way to convince the permanent five members, China has totally on board and another four are partially convinced. So far our diplomacy has been reasonably successful, but we need to tread carefully craft or diplomatic strategic places in a manner where we can convince the people because we have a just cause as was the creation of Pakistan but to maintain that nation-state of Pakistan we Pakistanis have to act with dignity, honor, and Justice.



Speaker 4

Mr. Ahmer Bilal Soofi- Former Federal Law Minister



He stated that the nuclear weapons are in the hands of a very irresponsible regime, an extremely irresponsible group of people who have no clarity in terms of creating a framework for sensible and liable use of the arsenal that they have at their disposal. So, it should be a concern for the International Community that how to handle this regime and its irresponsible

overtones, which not only are manifesting themselves not only on the action of 5th August, but also at the same time in respect of sponsoring the lynching culture, which is taking roots in India and this lynching culture is creating discrimination against the Muslims and the Christians and giving rise to a new wave of anger and anguish amongst young men in India who resorting towards violence. The BJP's government is flaming the distress and backing the irresponsible actions has tied up with Kashmir.

The Sikh community is also responding, calling for self-determination and raising their voices within as well as outside India and that is extremely meaningful. We have a situation which is likely to endanger the peace and security of the whole region particularly, and the world in general. That provides sufficient ground to plead before the UNSC, the BJP's anger is unleashing and likely to convert in violence of racial nature and genocidal in nature. The diaspora of all the actors who are being involved in the Kashmir issue is going against each other and indicating towards very explosive situation outside the Indian Territory as well.

Pakistan needs to convey this situation to the P5 states that the Kashmir issue is not going to be limited inside the premises of Occupied Kashmir but going to led fire in each and every region of the globe. So this is the responsibility of the international community and the big powers to try to find an implementable framework for the prevalence of global peace and security.

We are witnessing a very serious breakdown of Global Peace and Security in more than one places same as like the case of Palestine occurred in the Middle East, but the hijackings were done in the other entities as well. So, desperation can lead to desperate

measures. Kashmir is the serious universal dispute which needs the attention of the P5 countries of the Security Council.

In 1998, the P5 states issued a formal pledge that they would make joint efforts to resolve the issue between India and Pakistan and this pledge is available in the form of documentation in the Security Council.

He stated that a set of documents which constitutes a brief reading before taking a diplomatic position on Kashmir is available for initiating legal actions. These documents portray that Pakistan has an outstanding case in the law fair domain. The Supreme Court of India has already given a verdict of not abrogating article 370 of the constitution of India. One of the verdicts of the Indian Supreme Court is that “the Jammu and Kashmir state retains the portion of sovereignty” which expresses that Kashmir has the element of independence. The title of Jammu and Kashmir is not being transferred to the union of India. Thus, there are the group of judges who opposed the activities and policies of the BJP and issued verdict against the ideology of BJP. So there arises the question that will the judges of the constitutional bench go beyond the old the precedents which compel them to uphold article 370 or sustained it. So, that was a very material observation and finding by the courts of India which could be an enormous utility for Pakistan.

Then there was a specific flag Act of 1920 which was also challenged by some of the BJP sponsored litigation. Because now law fair is something which is used internally and externally and sponsors litigation to achieve strategic objectives. There are pressure groups in Dubai in Europe and elsewhere who fund for the certain litigation which advances their strategic objects. So now litigation is sponsored globally and locally as well to achieve strategic objectives, we need to build the capacity to understand to diagnose where things are going.

Thus article 370 litigation is very significant that needs to be followed very carefully. Kashmir case is one of the best cases any lawyer can dream of with one-tenth of this case within turn things around in the courtroom. This is the case which is continuously giving so much of material in evidence and one of the biggest evidence of the disputed territory is the UN resolutions, passed between 1947 to 1957, this was a time in Pakistan when very little resources were available but the debates of that time in the Security Council carried out innovative approach towards the interpretation of the

charter that Pakistan was able to get forward about 15 to 17 resolutions during that time frame. Those resolutions are binding in nature, some people view them as chapter 6 resolution.

He revealed that his team is examining each and every resolution passed in 1948 till 1960 by the Security Council, that whether this resolution mentioned chapter 6 or chapter 7 which dictate the content and substance. In the era of 1960s the security council was not used to mention the 6 or 7 chapter preamble but it started after the 1373 security Council resolution on terrorism, 1267, 1540. Karachi agreement is linked with Security Council resolution.

This is a fundamental issue that we need to put across to the International Community with a lot of confidence that this is a binding resolution of the UN Security Council. The second aspect is that to negotiate bilaterally and Pakistan is ready for the bilateral talks, but the framework of the obligation of the bilateral discussion is alternative when the political discussion would move on.

The Security Council is the only rock that we need to hang our coat on and that is how we should proceed. A legal global community comprising the legal advisors, attached with every ministry and the legal wing of every secretariat such as UN, SCO, and EU should assess each and every incident occur in the premises of India and Pakistan. A comprehensive legal note prepared by the law ministry on the Kashmir issue should be circulated before the speech of the Prime Minister in UNSC so that the relevant delegation in the UNSC are synthesized about the legal strength of the case of Pakistan and when they will listen the political posture of Pakistan they will be able to respond promptly and in a better way.

Pakistan must also reach out to other venues of the international community which are playing a critical role and in future we are going to represent the case in Hague where the international law societies from Russia, China, and US are holding a two days conference. The fourth Geneva Convention is relating to occupational annexation and that will strengthen the argument that Kashmir is the disputed issue. The Geneva Convention said that irrespective of any tempering and revering of the capacity of the constitution under the domestic law the overarching declaration in case of occupation it is to be disregarded and in case of annexation it will not be accepted. The AJK government also has a right to enact a domestic law to consider setting up a

commission of fact-finding and to examine the situation inside IOK because the parliament of IJK is fully mandated to create a document which will give sanctity to the researched data of Indian Occupied Kashmir which will present in front of the international community.

The right of self-determination has two dimensions, the first legal feature is that there is a community which is under unlawful occupation, and the Second legal feature is that self-determination argument is globally well recognized. Under the right of self-determination there comes the right to resist the occupation. Therefore, there is a lot of margin for Pakistan in the Law sphere which needs to be used strategically.



Speaker 5

Lieutenant General Amjad Shoaib (Retd) – Defence Analyst



General Amjad (Retd) started his speech by saying that the humanitarian side is the most important aspect of the whole crisis that we are facing today. Which perhaps has been mentioned by all the speakers. He said that he thinks this is one subject which deserves to be looked into in-depth. So that the sufferings of the Kashmiri people are brought to the

fore and awareness is created and the pressure is brought upon the Indians to lessen the sufferings of Kashmiris and at least give them the freedom of movement, freedom of communication with their kith and kin all over the world General Amjad (Retd) said that on August 5th at midnight local time the disputed territory was abruptly cut off from all communication. Both within and outside the world that within Kashmir as India snapped internet and phone connections. It shut down all Kashmiri television channels, a strict curfew was imposed across Kashmir. During the previous week and additional 180,000 troops had been moved into Kashmir to join the roughly seven hundred and fifty thousand troops already deployed in the area. And on August 6th Indian home minister announced that India was revoking article 370 and 35 A of the Indian constitution, which gave Kashmir some limited autonomy and restricted Outsiders from buying land in the state. There are many other reasons to be concerned about India's action of 5th August, but the International Community needs to take special notice of the signal is sent to the world of the blunt and Unapologetic authoritarian nature of the present Indian Government. It has been growing steadily in various states of of India. The Fascists Operated to override all opposition to the seizure of other territories that it announces and authoritarian arrogance that must be called out for what it is.

The honorable speaker told the audience that Modi's unilateral action reminds us of Hitler's takeover of Czechoslovakia or Mussolini takeover of Libya, Ethiopia or Putin takeover of Crimea. He said it is clear that the latest arrival on the authoritarian stage in India, the so-called world's largest democracy is just a cover for a new authoritarian state. Under the new dispensation, Kashmir is to be ruled directly from Delhi as its

Union territory. The last time Kashmir was ruled directly from their Delhi was from my 1990-1996, it witnessed human rights violation on a massive scale with extrajudicial killings, torture, rape, disappearances, Firing on unarmed demonstrators burning of homes Crops and standing harvests and a complete clampdown on all political activity. The warning signs that this will be repeated are already loud and clear.

General Amjad (Retd) informed the audience that very little news is this escaping from the military Cordon laid down by India around Kashmir. There are reports of mass arrests including young children. Near-total clam down on Freedom of movement within Kashmir and Indian military forces opened fire on protesters with live ammunition tear gas and pellet guns. Pellet guns are an Indian invention designed especially for non-lethal crowd control and use only in Kashmir, the bullets explode like shrapnel on impact and have been responsible for blinding hundreds of Kashmiri young men. Those Kashmiris who have gone abroad and have left their families in Kashmir are worried because they do not have any linkages with them. There are no Telephone Connections, and they do not know whether they are living or they are dead. Hospitals are turning the patients away due to the absence of doctors and known availability of medicines. Indian police in Kashmir refuses to register the cases of civilians killed in custodial killings the security forces barge into the houses during the midnight raids, and there have been cases of harassments of women Folk.

He further said that the long and difficult record of Indian human rights abuses in Kashmir had until now been routinely ignored by the outside world, but now the narrative has changed. Media outlets across North America Europe and Middle East Asia and Latin America either report from the ground or pick up news as it appears in the Independent Media. They show images of desolate streets. Link with gleaming new concertina barbed wire and with checkpoints. And children injured and blinded by Indian troops by firing pellet guns and even using catapults. Doctors and patients trying to reach the hospitals are turned away by the soldiers at checkpoints. An example is reported by an independent Indian news Outlet which interviewed a young woman who was forced by Indian soldiers to walk six kilometers while she was in labor to reach a hospital where she could deliver her, baby. General Amjad (Retd) told that there seems to be no limit to the cruelty with which Indian troops treat the Kashmiri civilians. There has been a trickle-down of news of Hindu nationalist violence against

the minorities and Dalits in India that Western media is no longer able to ignore perhaps the true colors of the Hindu nationalist government of Prime Minister, Narendra Modi who was rehabilitated by Obama because he had been refused the visa and entry during the Condoleezza Rice period. And perhaps this is something that this man has been encouraged to who had been encouraged to go with all sorts of brutalities.

While commenting on the role of the international media efforts, he said the combination of emerging geopolitical factors has enabled the Western and US media to get in touch with their conscious, insightful devoting editorials are making front-page headlines. And even Human Rights Watch has broken years of Silence on the issue to warn India quite rightly to step back in Kashmir. In 2017, the RAFT Foundation of Norway awarded its prestigious prize to two Kashmiri human rights Defenders, Praveen of the association of Disappeared persons And Pervaiz of the Jammu and Kashmir Commission of Civil Society. In 2018 the UN Office of the High Commissioner of Human Rights issued its first-ever report on Kashmir. And a follow-up report in June 2019. Reports from Jammu and Kashmir on torture and Amnesty International on arbitrary detentions that is the rest without warrants without charges added to the growing evidence of massive human rights abuses by the Indians. The Turkish media is also providing lot of coverage. They are picked up the story that sustained reporting. The other aspect of the western media coverage on the current crisis has been the near-total blockade on all Kashmiri media and reports of Kashmiri journalist being attacked and by the Indian troops on the check post while some independent Indian media sources have been reporting on the situation in a courageous and principled way the majority of the Indian media is traveling freely around Kashmir in army vehicles and helicopters repeat the Indian government's lies about the peace and prosperity in the region. The Kashmiri journalist Gohar Gillani who was able to access an internet connection after nearly two weeks sent out this message said Kashmir will remember the instrument of tyranny, especially those who raised a toast to celebrate to mock at Kashmir Collective humility, helplessness, unprecedented information blockade, Crackdown, and Mass address history shall never forget this shameful propaganda.

He pointed out there are no confirmed reports about the amount of Truth which had been inductive and deductive but it is said that something like 180,000 troops were

inducted in thereafter people were arrested and perhaps the number of rest people has gone up to about 10,000 and reports of torture are also surfacing. The UN Office of the High Commissioner for human rights has issued a statement calling on the Indian government to end Communications clamp down and expressing concern about the reports of arrests and torture. in the context of human rights violations and atrocities perpetrated by the Indian occupation forces, the High Commissioner referred to the various reports issued by the office of the United Nations High Commissioner for human rights, Amnesty International, Human Rights Watch and the international people's tribunal on human rights and Justice in Kashmir.

He then diverts the attention to the Democratic presidential candidate Bernie Sanders statement in which he expressed concern over the current conditions in Kashmir terming it down as unacceptable. Similarly, Several countries including the United States Britain Iran, and even Boise have expressed concern over the prolonged security Curves in Jammu and Kashmir. Even European Union foreign policy chief. Mr. Mogidini has expressed concern and stressed on the need to restore the rights of the people their freedom and their communication. There have been popular protests around the world with Global Peace activists supporting the Kashmiri right to self-determination along with the media. This represents a significant shift in the global narrative on Kashmir. at the same time the Government of Pakistan should know work



hard to create awareness among the International Community and urge them to intervene to stop the bloodshed of the innocent and defenseless Kashmiris.

He stated that while highlighting large-scale human rights violations, Pakistan should demand from UN to appoint special rapporteurs with demanded to investigate and report on crimes against humanity in Kashmir. This would be the first step in setting up a credible mechanism for documentation, accountability, and justice for human rights abuses in Kashmir over the past three decades. This should also include the extrajudicial executions, torture gendered and sexualized violence enforced disappearances and unknown unmarked Mass Graves. He further said that Pakistan should also mobilize International opinion for appointment of a UN Commission of inquiry with demanded to investigate all instances of human rights violations, which will be again another good step for the accountability of those who have been perpetrating criminal activities and Kashmir.

He told the participants that the two leading alerts on genocide today are Kashmir and Assam, minority groups like the Sikhs and Nagas with their own histories of suffering, repression, and violence at the hands of the Indian state are watching events in Kashmir closely.

While concluding his remarks he said that at this critical juncture of our history, these events have provided us an opportunity to serve the Kashmir cause. He emphasized that Pakistan must realize that the time is running out. A humanitarian crisis and tragedy of large size are shaping up in Indian occupied Kashmir. And we cannot sit idle about it, cannot ignore what all is happening there. He suggested that our diplomatic activity is to be enhanced, there is a competition between India and Pakistan of narratives. There is a competition of diplomatic activity. He said that we have seen that the Indians Indian Prime Minister and others are reaching to all to the International Leadership that propaganda is to be countered because India is preventing reach of information to the International Community and the institutions because of that many countries that do not know much about the Indian atrocities and much about what all is happening in Kashmir. If we lose time and wait for the session of General Assembly sessions and other events to come, General Amjad (Retd) said that he thinks by then most of the people in Kashmir would have gone through those atrocities and perhaps the tragedy could have shaped the way it is. There is a threshold of Tolerance. There is a limit that the people can tolerate and ultimately there will be

a lot of Bloodshed and genocide and at that time if the International Community starts reacting that may be too late. The international opinion has to be mobilized so that the pressure is brought upon the Indian government and they the situation is reversed and international observers or the United Nations observers are allowed to move in and at least they should be able to keep that pressure. If we delay these actions, it is sorry to say that the tragedy would have already taken its shape.



SESSION - II

Speaker 1

Ambassador Abdul Basit- Former High Commissioner of Pakistan to India



Ambassador Basit began his speech by greeting the participants. He quoted Sun Tzu “between a stimulus and response we have the freedom to choose” and related it with how on 5th of August this year Indian Government took a decision that has created a very dangerous situation in South Asia. According to the Ambassador, this is something which did not come totally unexpected. If we look at the history before partition, when RSS was founded their world view was very clear. Even when they were not in power they had done things which made their world view very clear, which was to make India Akhand Bharat.

Whether it was the Samjhota express blast in 2007 or the demolition of the Babari mosque in 1992 or the Gujarat massacre in 2002 or the Muzaffarnagar riots in 2013, all this showed that India was inching towards extremism. In the last five years, India has come to the point of lynching Muslims, burning churches by working on the Hindutva ideology. Thus this move does not come as a surprise because we all know that it was very much RSS philosophy. It was also the part of BJP election manifesto in 2014 and 2019 that they would revoke these articles. So as far as Pakistan is

concerned we knew that India will take this step sooner or later. India has now taken this step and created a new situation not only for Kashmiris and Pakistan but for the whole region.

Ambassador Basit shared his experience of visit to Nagpur, the headquarters of RSS, where he addressed the gathering of 400 to 500 people. He said after that experience he had no doubt that India would eventually create such a situation that would have great grievances not only for the two states but the whole region. India has moved methodically. They took this decision after taking various variables into consideration. How Pakistan will react, the economic conditions of Pakistan, its position in the international world and the internal political turmoil, all these factors were assessed before taking this decision.

This was a well-calibrated well-calculated decision right before Modi's visit to different states, the G-7 summit and the FATF meeting in October. Ambassador Basit appreciated the timings of the India policymakers while condemning and criticizing the decision.

Discussing the reaction of Pakistani Government, he said that we can whine and wince about our diplomacy and give our decision-makers benefit of doubt that this act of Modi administration caught them off guard, but they have not been able to come up with a strong response. There is a lack of robust, vibrant and coherent diplomacy to counter the Indian move. He raised two primary questions. First, whether this decision is reversible or not? He said it would come as a pleasant surprise if PM Modi would reverse this decision. Other than that we can count on the Supreme Court of India that when the hearing will start on this case in the first week of October, we might see some relief. But this would take time and this is the strategy of New Delhi to buy time to consolidate the situation which has been created by the 5th August decision. We have the example of the Babari Mosque, no decision has been taken till now on that matter. So we should not count on the India Supreme Court for any relief.

Politically speaking he said that India has gradually delimited the constituencies in both Jammu and Kashmir and they plan on holding first elections in the new territory in 2021. There what they intend to do is to get a new legislature by getting a majority of pro-India people and get approval through that legislature regarding the changes

made in the article 370 and 35A. This is the course of action already planned out by India.

Moving towards the diplomatic front Ambassador talked about the diplomatic limitations of Pakistan. We know our weaknesses and limitations. Unfortunately the international community is not standing with us on this matter. If we are content with the informal meetings in New York and the UN Security Council and if we are content with the outcome of the OIC sessions then we don't have enough reasons to approach the international community to do much for us. We have celebrated whatever reaction we got from the international community as success. He acknowledges the incompetence of Pakistani diplomatic missions. Here he raised the second question as to whether we should expect anything beyond that has happened. To which his answer was no.

Pakistani nation should not expect more on diplomatic front. Democracies across the world play to domestic calories. We would be told that we are going to OIC, to human rights council, etc., but unfortunately we have not been able to get even a special session on Jammu and Kashmir. We might get an hour to talk about this but what good would that do. You need 16 votes to get a special session on the human rights council but currently, Pakistan is not sure whether it has those 16 votes or not. He continued by saying that he doesn't mean to dishearten the nation but we must know what our limitations are. Having said that he still believes that Pakistan needs to step up its political, diplomatic and material support in this matter. He left the material support to the participant's imagination as to how they would like it to be. He believed that if we keep on taking our people to a delusional world then we will fail to achieve anything from this situation.

He said that he has worked closely with the previous Kashmir committee and has seen how we feed people with meaningless rhetoric whereas we are not capable of doing all that. In his view to get some constructive results this time we need to do things differently. We are not willing to give sacrifices, get rid of our elitist culture and do something concrete then we'll have to live with this new normal that PM Modi has created. From our perspective, this is an abnormality but how to remove this abnormality would be a challenge.

Whereas currently there is no gravitas or commitment or a plan of action to deal with this situation. Unless and until we introspect we cannot come up with a plan to change this situation. We need to get this idea out of our minds that the problems that we are facing as a nation are because of India. They are only because of our internal issues. India has exploited these situations but we presented them with the opportunity. He concluded his speech by a quote that, a wise man once said that “if you don’t stand for something, you will fall for everything”.



Speaker 2

Mr. Abdullah Hameed Gul - Member Advisory Board, Center for Global & Strategic Studies (CGSS), Islamabad and Chairman Tehrik Jawanan Pakistan



Mr Abdullah began his speech by greeting the organizers and the participants. He said as being the representative of Pakistani youth he is here to share the sentiments of the youth with the participants regarding the current unrest in Kashmir. He told that his organization, Tehrik Jawanan Pakistan has conducted around 25 rallies all across Pakistan over the Kashmir conflict since the 5th of August. He said that his organization has conducted rallies in the past as well but this time the youngsters seem very motivated. They organized most of the rallies themselves and were successful in conducting a peaceful protest from Rawalakot to Karachi, from Peshawar to Larkana, from Quetta to Loralai. He raised a question that why this rage is found in the youth and this is the precise topic on which he is going to speak today.

Furthermore, he discussed how India has violated its own constitution and international law by revoking article 370. They have taken this step and now it is our turn to respond. The later we respond, it will lead to a disaster. This is what the enemy of Pakistan desires. Their agenda is to denuclearize Pakistan and to do so they need to

demilitarize Pakistan. Which they are trying to do through 5th generation warfare. Secondly they want to deislamize Pakistan. The ideology of Pakistan is based on Islamic principles, the state of Madina. A country without an ideology is rudderless and this is what they want. Lastly to delink Pakistan from China and Central Asia. We are a nuclear country with superior Armed Forces. Our Army has been declared as the top Army in various military exercises in the last two years. The menace of terrorism which the ISAF and NATO forces could not curb, our forces did in meager resources. This means that the economy is not the only factor but it's the will, the weakness is never in your arms but in your will. The luck favors the bold.

Speaking about the partition plan, he said that according to the plan the North West Muslim majority areas were supposed to join Pakistan. As this did not happen we are still facing issues. The world accepted this issue as an international matter but now we hear that it is a bilateral issue. After the violation from India this should be declared a line of control, not a permanent boundary. This is a no man's land now and occupational forces are present there. Further we have always chanted the slogan "Kashmir will become Pakistan", Mr Abdullah said that this is wrong as Kashmir is Pakistan and Pakistan is Kashmir. He mentioned his conversation with Gen Zubair Hayat about the time before partition in 1947, 26 days prior to the partition, then president of Kashmir, Sardar Ibrahim declared that they'll join Pakistan. Till 26th October who's part Kashmir was? If it was India's then why did their forces land there? Other than that no accession document was presented by India because any such document would be sent for to forensics and it would come to the reality that Raja signed it later when he had lost the power. Nobody saw the exact document. It is the same as the case of Benazir Bhutto's will. But he didn't want to dwell upon such political issues.

The world has been sleeping for so long. He said his organization conducted all those protests as ordered by our prime minister. We have shown this way to the world, by protesting and conducting rallies and seminars. If the world is not awake even after 150,000 casualties in Kashmir, the mass gang rapes of 11500 women, then God help as this is criminal silence. The case of Kashmir has been in Security Council for so long. We have seen how they respond to the issue of Taliban. They settle down the issue on battle field. The first afghan war was fought and the British Empire was defeated, in the second afghan war Mr. Abdullah mentioned that his father Gen Hameed Gul

played an important role and Pakistan was victorious. He then addressed Gen Jaffrey and said that he has also played vital role during his tenure in the Army and later he witnessed the silence of the humanity on the massacre of Muslims in Bosnia during his tenure as the Pakistani ambassador to Bosnia. Same happened in Syria and Rohingya. The world remained silent, the global village did nothing. Same happened in Afghanistan. If the Taliban were terrorist then according to the American law they cannot talk or do dialogue with the terrorist. What is America doing now, it means Taliban were not terrorists. Who is going to pay the compensation to the people of Afghanistan?

The world has their own agenda and designs, they will not care that Pakistan is standing for half an hour every Friday in solidarity with Kashmir. They will not consider our rallies, protests and seminars. The world wants to denuclearize Pakistan. We made our nuclear as a deterrence against India. When the time comes we have do to our work. Let's not curse the darkness and light our own candle. This is the way to move forward. If the wars were to be won on the basis on economy then Afghanistan didn't have better economy then Pakistan, North Korea is another example of the recent time. We need to look at how Iran stood against the tyrant powers and came out victorious. We have the example of the 313 who stood against a thousand. Did Prophet



(P.B.U.H) after the state of Madina started building industry or prepared for jihad? Our armed forces fought in 1947 and 1965, was our economy very good at that time? Economy is not the only thing, war is fought with passion and with the support of the people. After 9/11 we adopted a wrong policy and we are still suffering because of that.

Furthermore, he said that we need to do two things now. First, if Modi can talk about Baluchistan so openly, then we should also talk about all the independent movements in India. If not a single Baluchi is residing in India and they have a Baluchi radio channel. Why can't we have such channels? This is the time to act, as actions speak louder than the words. Now is the time that Pakistan should speak openly. What about the Sikh movement? When India can openly call Kashmiri its "Atoot Aang" then why don't we call Kashmir as Pakistan, an integral part of Pakistan? All the martyrs of Kashmir are buried in Pakistani flag not even the flag of AJK or the Indian flag. They are saying we are Pakistani and we tell them that you will become. He quoted an example that even if my arm is in the custody of my enemy it is still my arm.

Mr Abdullah continued his speech by saying that even if we adopt the policy of appeasement and agree to the Kashmir that we have now will lead us nowhere as it happened after 9/11. We showed the world a weakness in our decision making after 9/11 despite having a strong force, being a nuclear state, having abundance of natural resources and 200 million population. He then explained the concept of private jihad. Which is performed by a nation when the state is not performing according to the will of the nation. The will of the nation can be seen in these protests and rallies. Whole nation is on the streets waiting for a bold decision, taken from a position of strength. The decision needs to be taken by the prime minister of Pakistan as the armed forces have already declared that we can go to any extent and being the smaller nation we will have to use our primary weapon one day or another. Will the world be able to see what the repercussions are going to be? The dust cloud will halt all the air ways, electronic systems and e-banking will be effected. 30% non-contaminated food will be available for the world. So if the world is quite now they should not complain later. He told the audience how hundreds of people are contacting him daily for going for jihad. How long they can be stopped? They won't listen to anyone after some time and they'll act on their own. This is what Quran and Ahadees teach us. The situation was different in case of Bangladesh as we were far from each other. But today the whole nation is standing with Kashmir, they are ready to fight for Kashmir.

Today the nation will not accept this, if the government acts weakly then the people will stand on their own, but we should not act emotionally. Our diplomatic and political efforts have failed in the last 72 years. Now we have to come up with a new policy. A policy of defiance and dialogue. First we should defy India's heinous designs and then go for dialogue. The dialogue should be as equals. If we think that the West will come to our help, then where is the 7th fleet of America which was supposed to come for Bangladesh. Then what happened later on in Kargil, almost a dive surrendered in a matter of days but the Sent Com commander said we don't want India to cut a sorry figure by surrendering in front of Pakistan. Where were you when 42,000 people surrendered? Today is the time we have to think that West despite offering for mediation will not help us because if this is the case why have they given AH64 the lethal helicopter to India. These are the double standards of the West.

We have to see that why the world is doing this. The world will keep Pakistan busy for 4 5 months by words and no action. Despite all the talk India has lifted the curfew, has anyone called Modi directly and asked to lift the curfew, has anyone written to the UN regarding the atrocities happening Kashmir. Why is FATF only applicable on the countries that listen to it? Why is FATF only applicable on Pakistan? Not on North Korea not on Iran not on India or any other country. Despite Khabholshan being a declared terrorist. What about the title of saffron terrorism or the butcher of Gujarat. Were these titles given by Pakistan? No. what about denying the visa of Modi, was it by Pakistan, no but by America. Then why is there no mention of FATF. This is because the world has become an economic animal. If Pakistan gets effected no economic activity anywhere. India has given a lollipop to west of a base in Ladhakh. They can have a base to keep check on china and Russia, but later on the same base can be used to India.

Moving to towards the conclusion of this speech he said that if people are stopped from practicing their religion in Muharram, as there are 15% Shia Muslims in Kashmir another Karbala might take place. The Karbala is already taking place, the lesson that we get from that incident is that Hussain A.S had to give up his life for the truth and the righteous path. Similarly when after the dharna of 126 days the prime minister of Pakistan did not resign, why the world will react to our protests. India understand the language of the world the way we should as well.

He gave a suggestion that the assembly of Azaad Kashmir should invite ulema and discuss with them, what are the teachings of Quran and Sunnah in such a situation. If they call for jihad then we should declare jihad. If jihad is declared it will turn into international jihad and no one would be able to stop the people. The west is going to put that on Pakistan, we have to come out of the fear and appeasement policy. If Pakistan settles on this Kashmir do we think they would not ask for AJK? If we give them AJK would they not come for Baluchistan? Will they stop sending all those terrorists to Pakistan, will they stop conducting terrorist activities in Karachi. Gone are the times when things were under cover, now everything is in the open. They openly talk about Akaandh Bharat. Armed forces are ready but you have to take Modi to ICJ because in case of Dhaka he has accepted that he and Muqti Bahani were the ones behind it. Then why has this regime and the previous ones not taken him to ICJ. This is the time that we have to build pressure. As already mentioned occupational forces are already there. So article 295 is applicable. Not according to us but the international law. It clearly says that we can help Kashmiris with arms. This is the time we have to think strongly. If India can come out of all the international agreements then why can't we. No more afghan transit trade, no more airspace. The government is still thinking now the thinking time is over. If this government will take such a decision it will be reelected for years. They will go down in history as heroes. If not they will not be able to continue for long because Pakistan is not in the position to take no action. Rage is all round. Who is responsible for the Kashmiris who will be killed till 27th Sep? He asked the people to decide today on this forum that how important is Kashmir to them. He said for him Kashmir is as important as Islamabad, Quetta or Peshawar. He declared his willingness to give his life or take life for Kashmir. We have to go for Tipu sultan's way of life, but unfortunately we have adopted the path of Bahadur Shah Zafar which is not right. Lastly the posturing of army is required, maneuvering of the armed forces is required otherwise India will keep on building. They have already brought 4 division from south but they are not familiar with the environment.

Then in the garb of curfew they are dumping and creating facility for Americans. After getting defeated in Afghanistan they are making a new stop in Kashmir. America might let a little war go on between India and Pakistan to strengthen its position. What will we do then? No more CPEC and dealing with Central Asia. The nations which host their flags with a price tag are bought by the highest bidder. We should not be like that.

We are ready, the nation is ready, and the forces are ready. We may not have the capability to finish India but we know how to die. Live like Hazarat Ali R.A and die like Hazarat Hussain R.A. Kashmiris will not get independence by condemnation, they'll get freedom by our actions, our efforts. They'll get freedom from a place of strength, they are our people. If the world is sleeping let them sleep. God helps those who help themselves. Even in Afghanistan we were not that strong but we won. Our forces are ready to die as they were at that time. Today the whole Pakistan is waiting for the decision of the government to say fire, then the world will see that what we are capable of. The world will then come to us with the requests to avoid war. This is the time when we have to stand as a nation. If our jugular vein is cut then you decide how much longer will we survive? If we do nothing then the history will forget us. Today it is the people of Kashmir tomorrow it can be us. Imran khan talked about tabdeeli this is the tabdeeli that we need. The whole nation is standing with him, he needs to take a decision now.



Speaker 3
Rt. Rev. Nazir Alam – Bishop of Pakistan



Bishop of Pakistan started his speech by thanking CGSS for inviting him to this conference on such a sensitive issue. He said through this forum he would like to call upon the members of the international community who consider themselves as the custodians of human rights, why they are quite over the barbaric acts happening in Kashmir. Not only Muslims but Christians and other minorities are also facing genocide in Kashmir. Why European Union and other organizations are quiet? India has taken the genocide against the Kashmiri's to the level of destruction. Mr. Bishop said that he prays for our brothers and sisters going through this tough time from the depths of his heart.

Speaker 4
Raja Pratab Singh – Sikh Community Leader



Mr. Pratab Singh attended the conference as the representative of the Sikh community in Pakistan. He started his speech by greeting all the participants. He focused on the humanitarian aspect of this issue. We all are born free and we long for freedom in every aspect. A few days back he participated in a pro-Kashmir rally, there also he openly said that the Sikh community is with our Kashmiri brothers, their sisters are like our sisters. We also want freedom for them. Freedom acquired through peaceful ways. Freedom is the right of every being. We want freedom for Khalistan and Kashmir. Our mentor Guru Nanak has called for standing up for the oppressed anywhere in the world. He concluded his speech by stating that the Sikh community is with Kashmiri brothers and sisters and they'll do whatever they can to help them in their struggle for freedom.

QUESTION/ANSWER SESSION

Question No. 1

If bilateral talks and full fledged war are not the options then what options does Pakistan have in the current scenario? What if in near future the Western powers give Pakistan the option that we'll be free from IMF and FATF subject to the condition that we change our stance on Kashmir, what would be our response then? Lastly if Afghanistan can be made into a graveyard of American soldiers then why Kashmir can't be made a graveyard for Indian soldiers?

Answered by Mr Fakhar Imam - Member National Assembly, Chairman of the Special Committee on Kashmir

He said he seconds Mr. Touqeer's opinion about Afghanistan being the graveyard for Americans, Soviets and British. He further said that Kashmir is already a graveyard for hundreds of Indian soldiers and will keep on being such until they retreat. Secondly he said that Pakistan will not compromise on its stance on Kashmir under any situation. Lastly war or diplomacy, Pakistani government is committed to resolve this matter. He said that he hopes that Pakistan's efforts in diplomatic domain will bring positive results and the P-5 members have a bigger role to play.

Question No. 2

With the ongoing discussion of jihad is anyone looking at this option with a realistic aspect as well or is all just emotional talk? Is it being used just as a deterrence or there is some realistic backing to this idea? Does our government have any option apart from using nuclear weapons? To finish what concrete steps our government is taking on diplomatic level to resolve this conflict?

Answered by Major General Syed Khalid Amir Jaffery HI(M), (Retd) and Ambassador Abdul Basit

Gen Jaffery said that the talk of jihad against the atrocities of Indian forces in Kashmir is not just an emotional talk. As for the use of nuclear weapon is concerned the statement made by our PM in this regard was a reply to Indians changing their first use policy regarding the use of nuclear weapons. Pakistan doesn't want to start a nuclear war but if the conflict escalates, things can spiral out of hands. Both the states need to keep this aspect in consideration. To answer the last part of the question

regarding the diplomatic efforts of our government Ambassador Abdul Basit said that he has already highlighted the issues that Pakistani diplomacy has. Also when we publically say that war is not an option it dilutes our diplomatic stance. He advised the government to issue as few as possible, statement in this situation to avoid diplomatic blunders.

Question No. 3

How can we apply international law to lift the curfew as it is against the international law? How can we get the international community to interfere as a genocide watch has already been issued for Kashmir?

Answered by Ambassador Abdul Basit

He started by stated that the major powers like USA and Uk are busy with internal issues like BREXIT and elections. Russia has interests in India. So we should not expect any rectifying support from these major powers. Now the legal aspect, Indians are moving very smartly. All diplomatic efforts are important but at the same time we shouldn't rule out the option of war because India has a stronger position in the international arena and we may not be able to garner the desired support from any forum.

Comments/suggestions by Brigadier Khalid (Retd)

He agreed to Mr. Abdullah's remarks that no nation can get independence just by sitting, we need to move up the escalation ladder, close our airspace and come out of



bilateral agreements like Shimla agreement etc. and tell the world that we'll only accept UN resolutions and also declare LOC as cease fire line. Lastly if nothing works we should move towards aggression and let the world know that world peace depends on Pakistan. If the world doesn't care about world peace than we should also work on our interest.

**Closing Remarks by Syed Fakhar Imam – Member National Assembly
and Chairman of the Special Committee on Kashmir**

Syed Fakhar Imam expressed his gratitude to Major General Syed Khalid Amir Jaffery (Retd) and CGSS. He thanked all the speakers for sharing such valuable knowledge with everyone present in the conference. He summed up the statements and suggestion of the speakers of the conference and showed support to the government in the decision it will take. Pakistani nations is standing with its government and we are ready to go to any extent to show our support for the oppressed people of Jammu and Kashmir.





Suggested Policy Paper

Based on the Recommendations of this Conference

Introduction

The Abrogation of Articles 370 and 35A of the Indian constitution and diminishing the special status of Kashmir on 5th August 2019 is not a surprise development, because India was preparing for it for the last five years. The Indian political parties in power now were proclaiming it in media and in their pre-election political rallies in 2014 and 2019, that they would revoke these articles and amalgamate Kashmir. There was no doubt that India would create such a situation which would have great grievances not only for the two states but the whole region. India moved methodically. It took the decision after taking into consideration various variables: How Pakistan will react, the economic conditions of Pakistan, its position in the international community and its own internal political turmoil. All these factors were assessed before this decision was taken. This was a well-calibrated and well-calculated decision right before Modi's visit to different states, the G-7 summit and the FATF meeting in October.

India has gradually delimited the constituencies in both Jammu and Kashmir and it is planning to hold the first election for the new territory in 2021. There what they intend to do is to get a new legislature by getting majority of pro-India people and get approval through that legislature regarding the changes made in the article 370 and 35A. This is the course of action already planned out by India. The BJP Government is trying to bring a demographic change in their only occupied Muslim-majority state.

There was a mix and unclear local response to the illegal Indian moves, besides that the silence of the international community and the West once again confirmed that the slogans for the human rights and democracy are only used for their own interests. The international and local media is standing by the people of Kashmir, but Kashmir is still locked and disconnected from the world.

Domestic Response to the crisis

The domestic response to the post 5th august Indian actions were ambiguous and confusing. The initial reaction from a small segment of the international community was celebrated as a success. A myriad of statements from the people at the helm of the affairs further complicated the situation after. It was observed that majority of the actions in the initial response was for the Satisfaction of the domestic gallery

Pakistan should not be content with the side sessions of OIC and informal meeting of UNSC. Objectives related to Kashmir after the abrogation of Articles should be defined and a clear plan of action should be formulated to utilize the window of opportunity.

The Double standards of the Western Democracies

The great universities of the world both in the West and in the East fundamentally educate the inhabitants of this Globe about the importance of rule of law, the importance of Justice, the importance of freedom, the importance of Liberty, the importance of freedom of speech, the importance of Human Rights, the Importance of human dignity and above all the importance of human identity. These values and principles apply only selectively to the few but do not apply to the people of Kashmir. This duplicity and double standards have been exposed. If the world is to move forward there has to be a redefinition of what we stand for as Humanity.

The atrocities and human rights abuses in the Indian occupied Jammu and Kashmir have been explicitly confirmed and reported internationally by various institutions and organizations. For instance the reports, not one, but two reports by United Nations High Commissioner for human rights, by all parties Parliamentary Kashmir group of the European Parliament. Similarly, the statements from OIC, Amnesty International, from Human Rights Watch from Genocide watch. All of these are not small organizations, but the defenders of human rights around the globe.

The Indian side is also using prohibited cluster munitions against the population in AJ & K. The double standards of the world community are also exposed. If cluster munition is used anywhere in the world, it is not only objected by the West but is followed by kinetic measures against the culprit state. Now, if they've been used by the Indian state against Azad Jammu and Kashmir, every state has adopted silence over it. Similarly, India has deployed an additional hundred and eighty thousand troops supplementing the already existing 700,000 station troops. Kashmir has been turned by the Indian occupied forces into the most militarized zone, world's largest prison or the world's largest concentration camp. After August 5th more than ten thousand people have been arrested belonging to every segment of the society.

The situation in Kashmir after 5th of August is a moment of reckoning and a litmus test for the international community. It's time that international community uniformly apply universal principles and values of democracy and act beyond issuing statements because only uttering words have never made a difference for India.

Heaven in Ashes and the Operation All Out

Kashmir is a land of roaring rivers, majestic lakes, beautiful valleys, and magnificent mountains. The people of Kashmir are hardy, aware, Progressive and extremely loving. Therefore, Kashmir has been rightly attributed as 'a paradise on Earth'. Unfortunately the brutalities and atrocities of the Indian occupying forces have turned this Heaven into ashes. The occupying forces are employing every tactic and act of violence in this forceful subjugation of Kashmir and its population.

Indian occupying forces have institutionalized use of torture and violence. These forces are using instrument of rape as instrument of Suppression. For the residents of Kashmir, enforced disappearances, arbitrary detentions, and violations of basic human rights have now become a norm. The latest Uprising which is now 30 years in

going since 1989, 100,000 Kashmiris have been martyred in which seven thousand people have been murdered in the custody of the Indian Security Forces. Similarly 23,000 women have become Widow. Over 108,000 children have been orphaned. 11,125 women have been molested, raped and gang-raped by Indian occupation forces. Likewise, 7,000 unmask Graves have been discovered and only God knows how many more there are the thousands of victims of fake encounters. In more recent times since July 2016, post the great martyrdom of the freedom fighter Burhan Wani, a 22 years old Kashmiri, the Indian forces have gone on a rampage in what is called operation all out. This is the name of an operation that has been given by the occupying forces 'Operation all-out'. A new weapon in the form of pellet gun has been unleashed on the people of Kashmir.

With the use of these pellet guns, there has been mass blinding of the Kashmiri civilians: youth, women, and children as small as eight months old by deliberately targeting their eyes with pellet gunshots. Over 10,000 Kashmiris have suffered eye injuries due to use pellet gunshots while more than 200 have been blinded in one eye and 147 women have been completely blinded. This is the greatest mass blinding process in the history of human and Mankind. These horrifying events are unfolding not without the knowledge of the entire world, but it is happening in front of the entire world.

Kashmir: A nuclear Flash Point between India and Pakistan

Kashmir is not a bilateral boundary dispute between India and Pakistan. It was taken to the United Nations by India in 1948 and it remains on the United Nations Security Council agenda for the past seven decades – Kashmir by all canons of international law is an internationally disputed territory and it lies at the heart of all issues in South Asia. This dispute has been festering for decades and serves as a flashpoint for conflict between India and Pakistan. This internationally-recognized dispute has previously led to several wars and near war-like situations between India and Pakistan. Kashmir still remains an international nuclear Flashpoint and an overarching hurdle for peace in the region.

The Rise of Hindutva Doctrine and Security Situation of the Region

The security situation in South Asia is in risk due to a reincarnation of Nazism type pre-medieval ideology in the shape of in Hindutva. This ideology has its own dynamics of Shivaism, superiority of race and Creed, superiority of blood and utter distaste for tolerance and accommodation. It is dangerous to the core and it aims to destroy and kill anything which is not in sync with its worldview. The regional political structure in South Asia is threatened by such hegemonic aspirations because the current Indian leaders who are ardent followers of this ideology romanticize the legacy-based physical boundaries of an erstwhile a thousand years old Gupta Mauryan empire and teachings of Chunkya Kotalia. The Indian strategic Behaviour persistently seeks predominance and domination in the region by relying heavily on Machiavellian type hybrid tactics simmering from the strength of hard power and added to it the nuclear muscle. This has turned India's attitude extremely belligerent. This makes the already precarious situation of the region more volatile.

Strategic stability in South Asia after the Abrogation of Articles 370 and 35A.

The Strategic stability in South Asia is strained both by the provocative and irresponsible behavior of India. The statements of Indian Defence Minister after annexation of Kashmir indicate a circumstantial departure of India from their stated policy of No First Use. Statements like these further destabilize the precarious security situation in the region. It is not a matter of if, but now it is a matter of reality that the control of strategic weapons of India is now in the hands of a Fascist BJP regime with its linkages to RSS and Bajrang Dal. This puts a huge question mark on India as a responsible nuclear State. India's emboldened posture and strategic miscalculation, risk and increase the chances of destabilization with far-reaching consequences not only for South Asia but for the entire world.

The Indian overtures would likely lead to an entrenchment of conflict between two nuclear-armed states and would provide an unprecedented fillip to the indigenous Kashmiri freedom movement. It is bound to result in unprecedented anti-muslim violence, not only in Indian occupied Jammu and Kashmir but for the poor Muslims of India also. It is also likely to nurture divisive communalism and internal conflict with prospects to engulf not only bilaterally but the region and well beyond.

The BJP Ideology and Muslim Subjects and abrogation of Article 370

The abrogation of Articles 370 and 35A was not totally unexpected if the history before partition when RSS was founded is studied, their world view becomes very clear. Even when they were not in power they had done things which made their world view obvious, which was to make India Akhand Bharat. The Samjhota Express blast 2007, the demolition of the Babari Mosque in 1992, the Gujarat massacre in 2002 and the Muzaffar Nagar riots in 2013 show that India is moving towards Extremism. The culture of lynching and initiation of discrimination against Muslims and Christians is taking its roots in India for the last five or six years. Under Narendra Modi's rule, lynching of Muslims and burning churches shows that the Hindutva ideology is taking over in India. The reckless overtones of the regime under Modi are manifesting themselves in the maneuvers of August 5th as well as in respect of their aiding and sponsoring of the lynching culture.

It has burgeoned a new wave of anger and anguish among the young men of the minorities in India. These young men are now beginning to resort to violence. The anguish due to the BJP Government actions, measures and sponsorship of irresponsible acts if linked with Kashmir and if the Indian Muslim community start raising their voices for Kashmir along with the Sikh community demands for self-determination inside India, it would create a mix of a situation which could jeopardize International Peace and Security of this region. This provides ample ground to urge the United Nations Security Council to take cognizance of the evolving situation. The unleashing of more violence in Kashmir would lead to huge mismanagement and violence among the Indian, Pakistani and Kashmiri diasporas living in Europe, Middle East and USA.

The Role of P-5 and UN

After the abrogation of Articles 370 and 35A, the role of UNSC in Particular and UN, in general, is extremely unsatisfactory. Apart from some statements from UN Secretary-General and the informal consultation by the P5, no concrete steps are being taken by UN and UNSC to stop the genocide and inhuman oppression by the Indian forces in IOK. The session of the UNHR Council too declared a statement but, UN is the claimant of the defender of Human rights, it has dismally failed and disappointed not only the Kashmiris, but its inaction has also given impetus to the perception that the oppression of Muslims by the violent states is being deliberately ignored by UN and the international community. It is also shameful for the UNSC that it had to wait for the communication from Pakistan's Foreign Minister to hold its informal session, while at the same time Kashmir has been turned into the world largest concentration camp and its people deprived of basic human rights. It is the UNSC's fundamental responsibility in accordance with the charter of UN and in accordance with all the relevant provision of UN charter to intervene and intercede in Indian occupied Kashmir to relieve humanitarian pain of the Kashmiris people by implementing its own resolutions.

These resolutions from the UNSC are being put on the back burner by declaring them as only recommendatory and non-binding. A careful study of the resolutions from 1960 reveals that as these resolutions are being acted upon partly and there is an absence of mentioning of chapter 6 in it, made it a part of chapter 7. Therefore the rest of the substance and content of these resolutions should also be implemented. Similarly, the P5 in 1998 declared an official pledge that they will help India and Pakistan in resolving the Kashmir Dispute.

The failure of the UN in providing a framework for the resolution of the Kashmir dispute would lead to the collapse of Global Peace and Security in more than a single place. The conflict of Palestine provides an example. In case of Palestine, the violence was unleashed in Middle East, but the high jacking was done in Munich. The kind of anger and questions in local and international forums gives a sense that desperation could lead to desperate measures. The lack of an organized framework from the permanent five members would result in a very serious global issue.

Suggestions and Recommendations

- i. In the coming weeks and months, India is going to consolidate its position in Kashmir, and there is a grave risk that India would be successful in this and the world will look the other way, so preparation should be completed for that.
- ii. India will not go to reverse the steps it has taken before and after 5th August 2019, it may try to convince powerful Islamic nations to give it observer status in OIC. The necessary diplomatic roadmap should be in place to repulse any such action.

- iii. The major powers may coax Pakistan into accepting some sort of bilateral process, it must be noted that these bilateral processes would be a trap unless India takes back its aggravating and aggressive steps in Kashmir.
- iv. Pakistan should not accept any bilateral framework after August 5th, unless India explicitly under the third party, preferably the UN, its president or its secretary-general, accepts the disputed status of the territory and agrees to go back to the drawing board and come up with a diplomatic and political solution of the IOK dispute.
- v. India's insistence on the Jammu and Kashmir as its integral part should be rejected categorically. Pakistan should now move out of the grey area into the black and white domain. There should be no half-truths and ambiguities.
- vi. Pakistan should also maintain and sustain its diplomatic campaign. It should continuously knock at the door of UNSC until it gets its substantial attention. It should continue to go again to the UN and UNSC and don't lose its space there. Pakistan has a legitimate claim there, it should not surrender it. It is imperative because India response to two types of pressure, the military pressure like in 1947-48 and 1965. It also responds to international diplomatic pressure and not bilateral pressure.
- vii. Pakistan should also ask and use its resource to tell the UN that it should act a catalyst for the establishment of a humanitarian corridor for Indian occupied Jammu and Kashmir from Azad Jammu and Kashmir.
- viii. After internal deliberations among the relevant quarters, Pakistan should approach the international law commissions and explore the possibilities of establishing tribunals for the trial of war criminals in IOK as genocide is going on there for the past seven decades.
- ix. For the diplomatic and political campaign, Pakistan should work hard to become a strong nation. Among many challenges the national security of Pakistan should be safeguarded and guaranteed in a holistic fashion by refining the defense capabilities.
- x. Pakistan within the context of its economic development should try to intensify its diplomatic campaign on Kashmir because Kashmir is about the nationhood and sovereignty of Pakistan.
- xi. In the past, the casus belli between Pakistan and India was Kashmir, from this point onwards, the casus belli between India and Pakistan is Pakistan because all the developments after 5th August 2019 are driven by Hindu Nationalism, a doctrine similar to the fascism and Nazism of the last century.
- xii. It's been openly discussed and declared by the sitting Indian cabinet ministers that their ultimate goal is to dismantle Pakistan. They have designated three targets; first is the 200 million Muslims of India, the Kashmiris whom they consider traitors and the state of Pakistan which according to these Hindus committed the cardinal sin by dividing Bharat Boomi or Akhand Bharat.
- xiii. The state of Pakistan should not forget that RSS and Bajrang Dal are the militant arms of BJP against Muslims and they will sooner or later attack it with the help of the state of India, Pakistan has no choice, no matter how many unilateral diplomatic overtures it made.

- xiv. All possible measures should be adopted to awake the international community about the possible scenarios after the curfew is lifted in Indian occupied Kashmir. It should be conveyed that the actions taken by India in Kashmir will not be confined to Kashmir only, the possible consequences will not only affect the South Asian region, but also the international community.
- xv. Pakistan should reach out to the global civil society and particularly the Indian civil society organizations and establish an interface with these enlightened citizens.
- xvi. Contrary to the general perceptions about the resolutions on Kashmir that they are from Chapter 6, and are non-binding or mere recommendatory. Upon examining and analyzing it is being observed that chapter 6 is not mentioned in these resolutions. So when the mentioning of chapter 6 is absent then the substance and content of these resolutions will dictate whether they are implementable or not. So the focus should now be on the substance and content of those resolutions, and the perception of them being not implementable should be disregarded by all possible means at disposal.
- xvii. Moreover, these UN resolutions have been acted upon partly. The concrete measure by UNSC in the form of UNCIP, its linkage with ceased fire line and Karachi agreement shows that the substance of the resolutions is being partially acted upon. These partial initiatives provide a binding framework and framework of chapter 7. This fundamental issue should be put across to international community with a lot of confidence. It should be clearly declared that these are the binding UNSC resolutions and should be honored. The State of Pakistan should posture and take a position that these are the unfinished obligations of the charter of the UNSC and they need to be fully implemented rather than partially implemented.
- xviii. The framework for bilateral obligations is an alternative, as the bilateral obligations could only move forward with political dialogues. Until then UNSC is the only way where we could direct all our energies.
- xix. The Pledge made by P5 in 1998, should be reminded to them and highlighted everywhere that is possible. Likewise, there is a dire need to build up the capacity to understand and diagnose where things are going.
- xx. A comprehensive legal document on Kashmir dispute drafted by the Law Ministry or the Attorney General office should be circulated among all the delegations in the UNGA before the Prime Minister Address. Through this legal note, the visiting delegations could be sensitized about the legal strength of the case of Pakistan. It will also give legal strength to the political posture that the state of Pakistan is taking. They will be able to respond promptly as they will know about the legal strengths through it.
- xxi. In one of its judgments, the Indian Supreme Court says that Jammu And Kashmir State retains portion of sovereignty, which basically means it has an element of independence and it is not integrated with the territory of India, also the title of Jammu and Kashmir territory has not been transferred to the union of India. This very important observation from the

SC of India could be of enormous utility to the Government of Pakistan and AJK.

- xxii. For the achievement of Strategic objectives in Lawfare the state of Pakistan should sponsor litigations for it, the pressure groups in Dubai, Europe and elsewhere should be contacted for effective lawfare for Kashmir Cause.
- xxiii. The legal division of the EU Parliament has issued a Policy position that occupation anywhere in the world is not acceptable to the EU. It is hereby suggested that all officials of the state of Pakistan should remind this principle position of EU parliament to their representatives or delegate when they are approached for any kind of interaction related to Kashmir.
- xxiv. International law societies from The Hague, US, China, UK, and Russia should be approached and the situation in Kashmir should be explained to them. The illegal detention of population for the last month should also be highlighted along with the documented records of violence, killings, rapes, gang rapes and kidnappings by the Indian occupying forces should be provided. For Kashmir, they must be informed about the 4th Geneva Convention which is related to occupation and annexation.
- xxv. Providing information about the 4th Geneva Convention will strengthen Pakistan argument that it do not care about 370 and 35A because it is a disputed issue. This is what the 4th Geneva Convention says that irrespective of the tampering and rewiring of the capacity of the constitution under domestic law, the overarching declaration in case of occupation is to be disregarded, it will not be heard and accepted.
- xxvi. The essential documents collected by Bilal Ahmar Sufi provides the legal basis any political, policy and even diplomatic position on Kashmir. It is also recommended that the documents should be acquired and disseminated to all concerned quarters of political and diplomatic policy formulation.
- xxvii.** Through rigorous Campaign, the international community must be informed that Indian nuclear weapons are in the hands of a very irresponsible, and extremely reckless regime. They have no clarity in terms of creating a framework for the responsible use of the arsenal they have at their disposal.
- xxviii.** The AJK government should enact a domestic law to consider setting up a fact-finding commission and to examine the situation in IOK. The parliament in AJK is perfectly mandated to create that commission. This commission would be the legal instrument which will provide sanctity to the work of collection of data from IOK. The legal sanctity behind the collection of data makes it a legislatively sanctioned activity, which will make it more acceptable to the international community.



The CGSS Team

Report Compiled by:

Ms. Huma Kashif – Research Associate CGSS

Ms. Labbaba Jahangir - Research Assistant CGSS

Mr. Aamir Ikram - Research Assistant CGSS

Edited by:

Ms. Mehreen Gul – Director CGSS

Design and Graphics by:

Ms. Madiha Ghaffar – Media and Communication Manager